

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

JOHN GILBERT, )  
)  
Plaintiff, )  
v. )  
)  
APC NATCHIQ, INC., )  
)  
Defendant. )  
) Case No. 3:03-CV-00174-RRB  
)

**AFFIDAVIT OF PATRICIA L. ZOBEL**

STATE OF ALASKA )  
) ss.  
THIRD JUDICIAL DISTRICT )

Patricia L. Zobel, being first duly sworn upon oath,  
deposes and states:

1. I am the attorney of record for APC Natchiq, Inc.  
in the above-captioned case, am over the age of eighteen,  
competent to testify, and have personal knowledge of the matters  
stated in this affidavit.

2. On or about April 25, 2007 and again on May 1,  
2007, I spoke with counsel for Plaintiff, Kenneth Covell, by  
telephone and, both times, he informed me he had no objection to  
resetting the trial-setting conference currently set for May 10,  
2007 at 11:00 a.m. for a later date.

DELISIO MORAN  
GERAGHTY & ZOBEL, P.C.

943 WEST 6TH AVENUE  
ANCHORAGE, ALASKA  
99501-2033

(907) 279-9574

6385.047 110837 Affidavit of Patricia L. Zobel  
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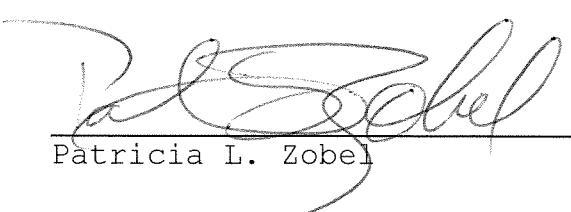
3. The parties are currently in the midst of serious settlement negotiations and believe settlement is possible if given more time. It is the parties' intention to avoid unnecessarily burdening the Court's docket and resources by having a trial-setting conference when there is a substantial likelihood that the above-captioned case will settle rather than going forth with trial.

4. Undersigned, counsel of record for APC Natchiq, Inc., will also be out of town and unavailable on the date set for the conference.

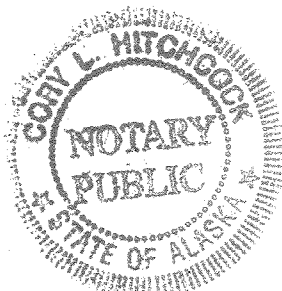
5. Defendant respectfully requests that the trial-setting conference of May 10, 2007 be reset for sometime in June 2007 or later to allow the parties adequate time to exhaust other resolutions before setting a trial date and the associated deadlines.


FURTHER THE AFFIANT SAYETH NAUGHT.

DATED this 1st day of May, 2007, at Anchorage, Alaska.

  
Patricia L. Zobel

SUBSCRIBED AND SWORN to before me this 1st day of May, 2007.



  
Notary Public in and for Alaska  
My Commission Expires: 07-25-08

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This is to certify that a true copy of the foregoing was served via electronic service or U.S. mail this 1st day of May, 2007, on the following:

Kenneth L. Covell, Esq.  
712 Eighth Avenue  
Fairbanks, AK 99701

By: /s/Cory L. Hitchcock  
Cory L. Hitchcock

DELISIO MORAN  
GERAGHTY & ZOBEL, P.C.

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